IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3266 OF 2006

Arun Pudappa Gauda & Anr. .. Applicants

Versus

State of Maharashtra .. Respondent

Mr.Rajesh Kochrekar for applicants

Mr.P.S.Hingorani, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 20th September 2006.

P.C.

. For reasons mentioned in the order passed in Criminal Application No.1904 of 2006 and the role of present applicants being identical, applicants

deserve to be enlarged on bail on the same terms and conditions as mentioned in the order passed in Criminal Application No.1904 of 2006.

2. However, Mr.Hingorani points out that co-accused have been enlarged on bail but complaints have been registered against them of threatening witnesses. In such circumstances, when I put a query to Mr.Kochrekar, he had on his own agreed that applicants would reside at Mohol, a place about 50 kms. away from Solapur and would not enter limits of Solapur city and Shegaon City limits till the conclusion of the trial. Thus, bail is granted subject to the condition that the applicants staying away from Solapur and Shegaon city limits. Mr.Kocharekar states that the applicants are agreeable to identical conditions being imposed upon them. Hence, following order:-

i) The applicants, (1) Arun Pudappa

Gauda and (2) Premnath Vilas Jadhav, arrested in connection with C.R.No.211 of 2005 registered with Fauzdar Chawdy Police Station shall be enlarged on bail in the sum of Rs.10,000/- each with one or two local sureties in the like amount.

ii) The bail is granted subject to condition that the applicants will remain present before the Mohol Police Station twice in a fortnight between 11.00 a.m. and 1.00 p.m. till conclusion of the trial.

iii) The order of bail will be given effect only after the applicants furnishes to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential

address thereafter till the conclusion of trial without prior intimation to the Investigating officer.

iv) The bail is granted subject to condition that the applicants shall not directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

v) The applicants shall cooperate with the learned Trial Judge for expeditious disposal of the case. Any attempt by the applicants to delay the trial may be a ground for cancellation of bail.

vi) Any observation made in this order shall not be construed as any finding or any expression of opinion on

the merits of the case at the time of trial.

vii) Application is disposed of in above terms.

viii) Parties to act on an authenticated copy of this order.

(S.C.DHARMADHIKARI, J)